

LINCOLN CITY/LANCASTER COUNTY PLANNING STAFF REPORT

for July 19, 2006 PLANNING COMMISSION MEETING

P.A.S.: Martell Development Community Unit Plan
Co. Special Permit #05058

PROPOSAL: A community unit plan for four acreage residential units.

LOCATION: Northeast of SW 29th & W. Martell Road

WAIVER REQUESTS:

1. Ornamental street lighting.
2. Sidewalks.
3. Street trees.
4. Landscape screens.
5. Stormwater Detention.
6. Block length.
7. Cul de sac length
8. Preliminary Plat
9. Double frontage lots

LAND AREA: 20.78 acres, more or less (total lot size, under both jurisdictions - about 6.86 acres in Sprague's jurisdiction and 13.92 acres in Lancaster County).

CONCLUSION: This is an AGR Community Unit Plan (Currently Zoned AG and AGR, AGR zoning has been approved by Sprague and the Lincoln/Lancaster Planning Commission but not by the County Board at the time of this writing) for four acreage lots. Waivers requested are typical of a rural subdivision and are provided for in the code. A portion of this is in the Sprague jurisdiction and requires their approval as a plat.

RECOMMENDATION:

Co. Special Permit #05058

Conditional Approval

Waivers (some may be needed for Sprague but not Lancaster County)

- | | | |
|----|----------------------|------------|
| 1. | Ornamental lighting | Not needed |
| 2. | Sidewalks | Not needed |
| 3. | Street trees | Not needed |
| 4. | Landscape screens | Not needed |
| 5. | Stormwater Detention | Approval |
| 6. | Block length | Approval |
| 7. | Cul de sac length | Approval |

8.	Preliminary plat	Not needed
9.	Double frontage lots	Approval

GENERAL INFORMATION

LEGAL DESCRIPTION: That portion in the county jurisdiction of, Lots 59 and 74 I. T. in the S ½ of Section 21, T8N, R6E of the 6th P.M., Lancaster County, Nebraska.

EXISTING ZONING: AGR Agriculture Residential on Lots 59 and 74 in both Lancaster County and Sprague jurisdictions.

EXISTING LAND USE: Farm land/pasture

SURROUNDING LAND USE AND ZONING: County AG zoned to the east, north and west. Agricultural to the east, north and west and an NRD lake to the N.W.. Residential, AGR and Industrial to the south. Unincorporated settlement of Martell adjacent to the south across West Martell Road.

HISTORY: Lancaster County Planning commission recommendation of approval to AGR on Lots 59 and 74 in July 2006. Sprague is reported to have zoned their portion of these lots AGR in 2006. The County portion of this property was changed from AA Rural and Public Use to AG Agriculture with the adoption of the 1979 Zoning Update. Sprague zoned their portion as AGX in 1977.

COMPREHENSIVE PLAN SPECIFICATIONS: The 2025 Comprehensive Plan shows this area as Agriculture. This is outside Lincoln's growth Tiers and in split jurisdiction with the Sprague one mile ETJ. In relation to acreages, the Comprehensive Plan states:

The land use plan also displays the generalized land use plans for other incorporated places within the county. These include the cities of Waverly and Hickman, and the villages of Malcolm, Raymond, Davey, Denton, Bennet, Sprague, Roca, Panama, Hallam and Firth.

In many circumstances the land use categories in these plans were different than the categories used in the Lincoln/Lancaster County Comprehensive Plan. In such instances, adjustments were made for the purposes of this display so that the land uses followed those used in the City-County Comprehensive Plan. These communities and their specific adopted plans should be consulted as the source for decisions within their zoning jurisdictions. Their plans are displayed in order to better coordinate the land use plans for the County as a whole with those of individual towns.

In addition, Waverly and Hickman requested that their goals for the area two miles outside their community be included in the Lincoln/Lancaster County Comprehensive Plan. These communities only have jurisdiction over a one mile planning area. Their proposed land uses are generally compatible

with the principles of this Comprehensive Plan and thus are reflected on the land use plan. It should be noted that these areas remain within the current planning and zoning jurisdiction of the city and county and are thus subject to reconsideration and change by Lincoln and Lancaster County. (F 28)

Currently, acreage development has occurred under two development scenarios: AG - Agricultural District (minimum of 20 acres per lot) and AGR - Agricultural Residential District (minimum of 3 acres per lot) with the possibility in both AG and AGR zoning districts of clustering units together in order to preserve more open space and agricultural areas and/or receive additional density bonuses under a community unit development. The complex issue of acreage development and other public objectives requires a large array of land use strategies (F 70)

Acknowledge the "Right to Farm" and preserve areas for agricultural productions throughout the county by designating specific areas in advance for rural residential so as to limit areas of potential conflict between farms and acreages (F 70)

Retain the current overall density of 32 dwellings per square mile (20 acre) for all agriculturally zoned land. Provide for an ability to divide two 3 acre lots per "40" acre parcel with conditions and administrative review and right of appeal. This would allow more flexibility for parcel size while retaining the overall density and assist in retaining farmable units of land. (F 70)

In determining areas of higher density rural acreage (200 units or more per square mile), numerous factors will be reviewed, such as but not limited to water and rural water districts, soil conditions, roads, agricultural productivity, land parcelization, amount of existing acreages, and plans for urban or town development. Acreages should develop in areas that best reflect the carrying capacity of that area for acreages. A performance criteria should be developed to review requests for acreage zoning and to determine where these standards can best be met. (F 70)

Development of a performance standard "point system" will allow the location of higher density rural acreage development in either "AG" or "AGR" where the review criteria can be met. This allows equal treatment across the county, maximum freedom of determination of marketing and sale, while locating those developments only in those areas where sufficient "points" can be accumulated to justify the development at the requested location." (F 71)

The Sprague Comprehensive Plan shows this area as "Agricultural". This request appears to be in conflict with the Sprague Comprehensive Plan. However, the Sprague Village Board is reported to have approved their area to AGR.

UTILITIES: This is in a rural water district. Individual wells are proposed.

TOPOGRAPHY: Rolling, sloping to the south.

TRAFFIC ANALYSIS: This is served by West Martell Road and S.W. 29th Street. S.W. 29th Street is a gravel county road. W. Martell Road is a paved county road. S.W. 14th to the east is a paved State Spur connecting Hwy 33 (Centerville) to Sprague.

PUBLIC SERVICE: This is in the Southwest Rural Fire District (Advance Life Support with a station located next to this site) and the Crete (Saline) School District #2. This is served by

the Lancaster County Sheriff's Department. Lancaster Rural Water District #1 also serves the area.

REGIONAL ISSUES: Expansion of the acreage areas. Development around towns.

ENVIRONMENTAL CONCERNS: The Historic and Ecological resources survey shows no resources on this site. The soil rating on this land is 5.6 on a scale of 1 to 10 where 1 to 4 are prime soils. This is not prime ag land. Cottontail lake is about ½ mile northwest of this site.

AESTHETIC CONSIDERATIONS: na

ALTERNATIVE USES: All uses allowed in the AGR, AG and AGX districts. One house on each existing lot.

ANALYSIS:

1. This request is for a Special Permit for a Community Unit Plan for 4 acreage residential lots. A private, gravel, internal street is proposed.
2. Individual water and sewage disposal was proposed. This is in Lancaster Rural Water District #1.
3. Sprague approval of the plat is required.
4. This request is in conformance with the Lincoln Lancaster County Comprehensive Plan and with the zoning as approved.
5. The density calculations for the project are as follows;

The existing AG/AGX zoning would allow three dwellings (one per lot). The density calculations for the project with the change of zone (now in process) are as follows;

County AGR 13.94 acres / 3 acres	=	4.64 dwellings
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Sprague AGR 6.86 acres / 5 acres	=	1.37 dwellings
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Total permitted		6 dwellings (6.01)
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Requested		4 lots with 4 dwellings
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6. There were no conflicting farm uses noted in the area.

7. This design reflects the normal adjustments to accomplish an acreage subdivision through the CUP and the existing development of the abutting land.
8. Waivers are requested for street lights, sidewalks, block length, street trees, storm drainage, cul-de-sac length and screening. These are typical waivers required, provided for and appropriate for agriculture/acreage clusters. Yards reflect AGR standards. Other than block length and double frontage lots, these waivers are no longer needed in the county jurisdiction but may be required for Sprague. The block length and double frontage lots waiver is appropriate due to the layout of the existing development.
9. The County Engineer's memo of June 19, 2006 notes minor adjustments needed.
10. 911 notes conflicts with the street names.
11. The Norris Public Power District needs easements with notes and dimensions.
- 12.. Lot 1, Block 3 does not appear to meet the Sprague Zoning.

CONDITIONS FOR SPECIAL PERMIT #05058:

Site Specific:

1. After the applicant completes the following instructions and submits the documents and plans to the Planning Department office and the plans are found to be acceptable, the application will be scheduled on the County Board's agenda: (NOTE: These documents and plans are required by resolution/ordinance or design standards.)
 - 1.1 Make the corrections requested by the County Engineer in his letter of June 19, 2006.
 - 1.2 Show the easements, noted and dimensioned, as requested by Norris Public Power.
 - 1.3 Revise the street names to show Williams Street as a numbered Street and Betten Street to a non-similar name. Add a "West" prefix to east-west streets and a "S.W." to north-south streets.
 - 1.4 Revise the plans to identify common name of trees in the tree masses.
 - 1.5 Show which trees will be removed.
 - 1.6 Revise the Surveyors certificate to include "accurate".

- 1.7 Add "Double frontage lots" to Note #17.
- 1.8 Revise the density calculations to include the outlot, existing zoning and County methods.
- 1.9 Remove the County Planning Commission approval block.
- 1.10 Remove "preliminary plat" from the County Board approval block.
- 1.11 Remove the change of zone language.
- 1.12 Note the use of Outlot "A"
- 1.13 Remove or revise to fit, county zoning note #22.
2. This approval permits 4 single family acreage lots and two (2) unassigned units for a total of 6 units within the Community Unit Plan.

General:

3. Before receiving building permits:
 - 3.1 The permittee is to submit a revised site plan and the plan is found to be acceptable.
 - 3.2 The permittee is to submit six prints and a permanent reproducible final site plan as approved by the County Board.
 - 3.3 The construction plans are to comply with the approved plans.
 - 3.4 The final plat(s) is/are approved by the County Board.
 - 3.5 The County Board approves associated requests:
 - 3.5.1 A waiver to the double frontage lot requirement due to the nature of the platting of the area.
 - 3.5.2 A modification to the requirements of the land subdivision resolution to permit a block length in excess of 1320' along the north and south perimeter of this subdivision.
 - 3.6 Sprague approves the required change of zone and plat.

3.7 The County Engineer has approved:

3.7.1 An agreement for street maintenance.

STANDARD CONDITIONS:

4. The following conditions are applicable to all requests:

- 4.1 Before occupying this Community Unit Plan all development and construction is to comply with the approved plans.
- 4.2 Before occupying this Community Unit Plan, City/County Health Department is to approve the water and waste water systems.
- 4.3 All privately-owned improvements are to be permanently maintained by the owner or an appropriately established homeowners association approved by the County Attorney.
- 4.4 The site plan accompanying this permit shall be the basis for all interpretations of setbacks, yards, locations of buildings, location of parking and circulation elements, and similar matters.
- 4.5 This resolution's terms, conditions, and requirements bind and obligate the permittee, its successors and assigns.
- 4.6 The Permittee shall file a certified copy of the resolution approving the permit and the letter of acceptance with the Register of Deeds. The Permittee shall pay the County Clerk's certification fee at the time of certification and shall pay the recording fee to the Register of Deeds at the time of filing.

5. Final Plats will be approved by the Director of Planning after:

- 5.1 Streets, drainage facilities, temporary turnarounds and barricades, and street name signs have been completed.
- 5.2 The subdivider has signed an agreement that binds the subdivider, its successors and assigns:
 - 5.2.1 To submit to the County Engineer an erosion control plan.
 - 5.2.2 To protect the remaining trees on the site during construction and development.

- 5.2.3 To submit to lot buyers and home builders a copy of the soil analysis and water report.
- 5.2.4 To complete the private improvements shown on the CUP.
- 5.2.5 To maintain the outlots and private improvements on a permanent and continuous basis. However, the subdivider may be relieved and discharged of this maintenance obligation upon creating in writing a permanent and continuous association of property owners who would be responsible for said permanent and continuous maintenance. The subdivider shall not be relieved of such maintenance obligation until the document or documents creating said property owners association have been reviewed and approved by the County Attorney and filed of record with the Register of Deeds.
- 5.2.6 To relinquish the right of direct vehicular access to S.W. 29th Street except for Betten Street (as renamed), and to W. Martell Road.
- 5.2.7 To maintain County roads until the County Board specifically accepts the maintenance.
- 5.2.8 To comply with the provisions of the Land Subdivision Resolution regarding land preparation.
- 3.2.8 To maintain the outlots and private improvements on a permanent and continuous basis.

Prepared by:

Mike DeKalb, 441-6370, mdekalb@lincoln.ne.gov
Planner
June 30, 2006

APPLICANT: Marcia Kinning, E-S-P
601 Old Cheney Rd., Suite A
Lincoln, NE 68532
(402) 421 - 2500

OWNER: Dutch Bentzinger
Bentzinger Grain & Equipment
17700 S. 1st Street

Martell, NE 68404
(402) 794 5455

CONTACT: Marcia Kinning, E-S-P
(402) 421 - 2500

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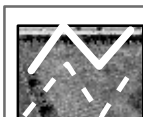
Special Permit #05058
Martell Development CUP
SW 29th St & Martell Rd

2005 aerial

Zoning:

R-1 to R-8	Residential District
AG	Agricultural District
AGR	Agricultural Residential District
R-C	Residential Conservation District
O-1	Office District
O-2	Suburban Office District
O-3	Office Park District
R-T	Residential Transition District
B-1	Local Business District
B-2	Planned Neighborhood Business District
B-3	Commercial District
B-4	Lincoln Center Business District
B-5	Planned Regional Business District
H-1	Interstate Commercial District
H-2	Highway Business District
H-3	Highway Commercial District
H-4	General Commercial District
I-1	Industrial District
I-2	Industrial Park District
I-3	Employment Center District
P	Public Use District

One Square Mile
 Sec. 21 T08N R06E

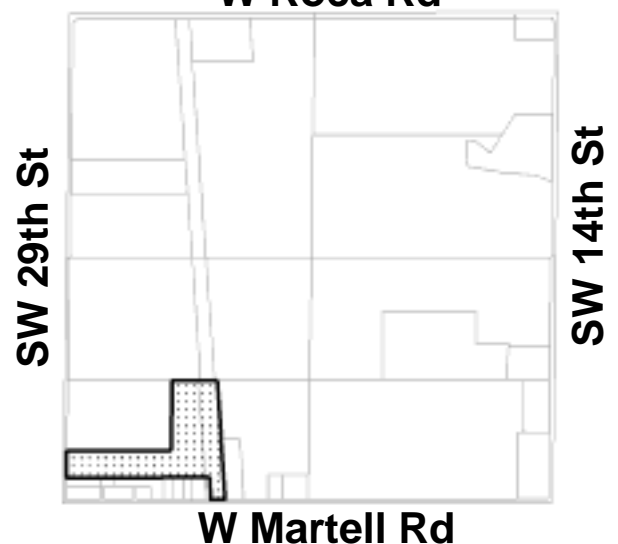


Zoning Jurisdiction Lines

City Limit Jurisdiction

m:\plan\arcview\05_splsp05058.mxd

W Roca Rd



Revised 9/20/06

29 2005

LINCOLN CITY/LANCASTER CO
PLANNING DEPARTMENT

[illegible]

NOTES

THIS PRELIMINARY BLAT/ CALLA, CONTAINS BLIND ADGES MORE OR LESS

2. THE FOLLOWING PLAT/C.A.P. PLANS & SPEC. SHALL CONFORM TO THE

AC. EL. TAB. 14 C.

E.S.P.
CONSULTING
ENGINEERS

601 OLD
CHENEY RD.
SUITE 'A'
LINCOLN
NEBRASKA
68512

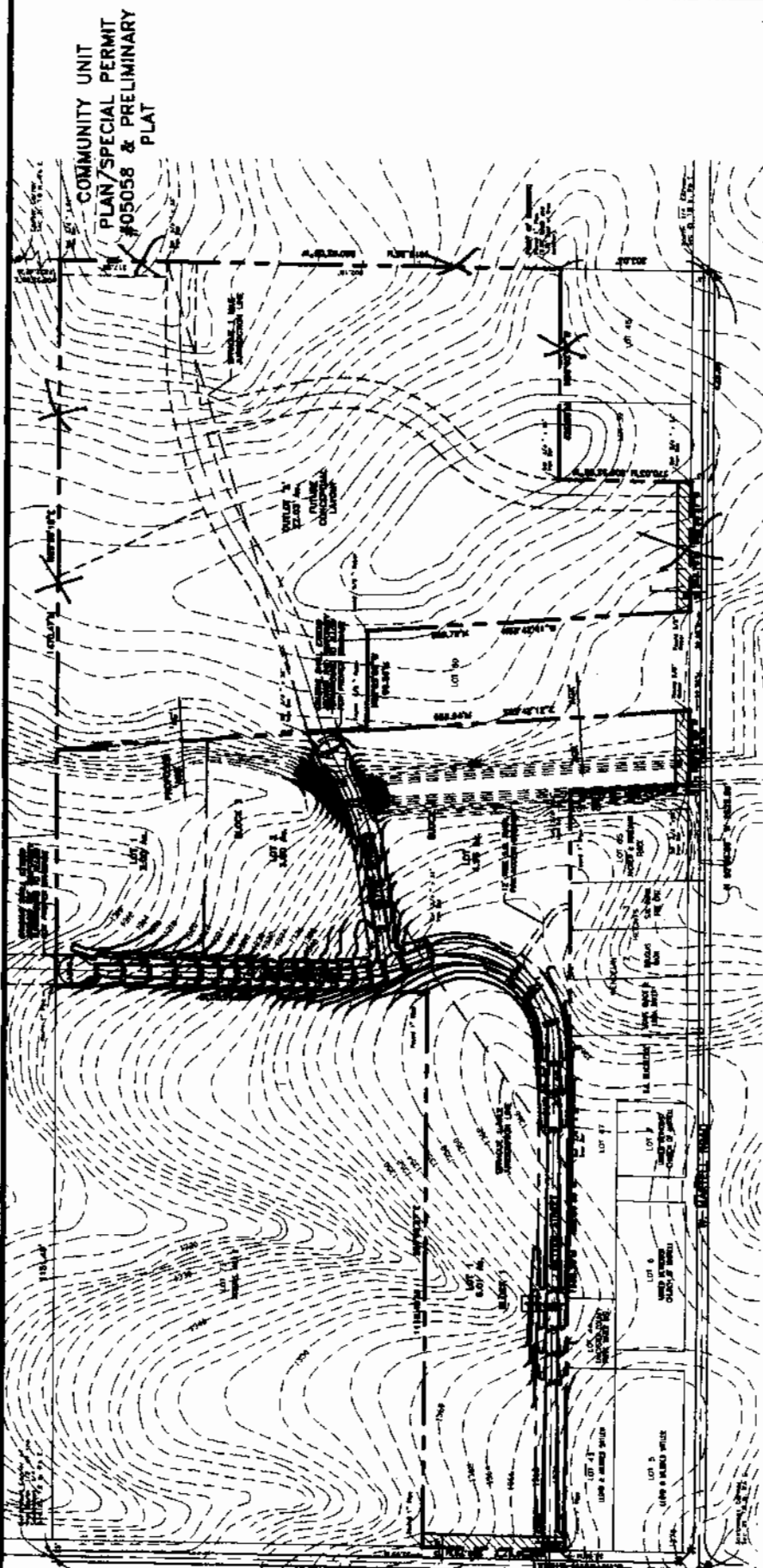
MARTELL DEVELOPMENT
S.W. 29TH STREET
& MARTELL ROAD, MARTELL, NE

GRADING
PLAN

Scale: 1" = 100'
CADD: [illegible]
Checked: [illegible]
Date: 11/15/05

REVISIONS:	DATE	BY	CHKD
1	11/15/05	[illegible]	[illegible]
2			
3			
4			
5			
6			

2 OF 6



RECEIVED

JUN 13 2006

Special Permit #05058
Martell Development CUP
SW 29th St & Martell Rd

APPROVED FOR
PLANNING DEPARTMENT

NOTES

20.78

N 90°00'00" W 2

1. THIS PRELIMINARY PLAT/ C.U.P. CONTAINS ~~42.97~~ ACRES MORE OR LESS.
2. THIS PRELIMINARY PLAT/C.U.P. PERMITS 4 SINGLE FAMILY RESIDENCES. EACH LOT SHALL CONTAIN A MAXIMUM OF ONE SINGLE FAMILY RESIDENCE AND OUT BUILDINGS, ALL LOCATED WITHIN THE BUILDING ENVELOPES AS SHOWN AND/ OR NOTED.
3. THE CURRENT ZONING IN LANCASTER COUNTY JURISDICTION IS 'AG' & THE PROPOSED ZONING IS 'AG' & 'AGR'. THE CURRENT & PROPOSED ZONING IN SPRAGUE JURISDICTION IS 'AGR' & 'AGX'.
4. THE MAXIMUM BUILDING HEIGHT SHALL NOT EXCEED 35 FEET, AS PER 'AG' ZONING.
5. THE DEVELOPER PROPOSES THE USE OF INDIVIDUAL WATER WELLS FOR POTABLE WATER SUPPLY.
6. THE DEVELOPER PROPOSES THE USE OF INDIVIDUAL WASTE WATER SYSTEMS. IF PERCOLATION TEST DO NOT PERMIT SUB SURFACE FIELDS, LAGOONS SHALL BE INSTALLED. WASTE WATER SYSTEMS SHALL BE APPROVED BY THE LANCASTER COUNTY HEALTH DEPARTMENT. EACH LOT SHALL BE GREATER THAN THREE ACRES IN SIZE EXCLUDING ALL AREA BELOW THE NORMAL HIGH WATER LEVEL OF ANY SURFACE WATER FEATURE, ALL AREA BELOW A TEN-YEAR FLOOD ELEVATIONS AND ALL AREA WITHIN THE RIGHT-OF-WAY OR EASEMENT OF A STREET, ROAD OR ACCESS EASEMENT.
7. THE DEVELOPER SHALL SURFACE THE PRIVATE ROADWAYS (BETTEN STREET & WILLIAMS STREET) WITH 3" OF CRUSHED ROCK AND 1" OF GRAVEL IN ACCORDANCE WITH LANCASTER COUNTY STANDARDS FOR MAINTENANCE. ALL GRAVEL SURFACING RADII AT INTERSECTIONS SHALL BE 50 FEET.
8. DEVELOPER SHALL INSTALL STREET IDENTIFICATION SIGNS, STOP SIGNS AND NO OUTLET SIGNS AS REQUIRED.
9. ALL CURVILINEAR DIMENSIONS ARE CHORD LENGTHS.
10. COMMON AND PUBLIC ACCESS EASEMENT IS HEREBY GRANTED OVER THE PRIVATE ROADWAY.
11. DIRECT VEHICULAR ACCESS IS HEREBY RELINQUISHED ALONG S.W. 29TH STREET EXCEPT BETTEN STREET. DIRECT VEHICULAR ACCESS IS HEREBY RELINQUISHED ALONG W. MARTELL ROAD EXCEPT FOR AN EXISTING FARM ACCESS TO OUTLOT 'A'.
12. BETTEN STREET AND WILLIAMS STREET SHALL BE CONSTRUCTED AND SURFACED TO LANCASTER COUNTY STANDARDS AND MAINTAINED BY THE HOMEOWNERS ASSOCIATION.
13. ANY LAND DISTURBANCE WILL FOLLOW 'BMP' TECHNIQUES AS APPROVED BY THE LOWER PLATTE SOUTH NRD, TO PREVENT EROSION.
14. 'JUNK CARS' SHALL BE PROHIBITED IN THIS DEVELOPMENT AS NOTED IN PROTECTIVE COVENANTS.
15. FUTURE LOT OWNERS WILL BE ADVISED THAT THIS IS IN A RURAL FARM AREA AND THAT NORMAL AND CUSTOMARY FARM ACTIVITIES, INCLUDING CATTLE FEEDING OR HOG CONFINEMENTS ARE NOT A NUISANCE.
16. CONTOUR LINES ARE AT NAVD '88' DATUM.
17. THE FOLLOWING WAIVERS ARE APPROVED WITH THIS SPECIAL PERMIT #05058: SIDEWALKS; STREET TREES; STREET LIGHTING; AND LANDSCAPE SCREENING.
18. A MODIFICATION TO THE REQUIREMENTS OF THE LAND SUBDIVISION ORDINANCE TO PERMIT A BLOCK LENGTH IN EXCESS OF 1320 FEET ALONG THE NORTH, SOUTH, EAST & WEST OF THIS SUBDIVISION.
19. ALL LOTS SHALL BE ALLOWED ONLY ONE RESIDENTIAL ACCESS PER LOT.
20. A COPY OF EXHIBIT B- MAINTENANCE RESPONSIBILITIES OF DITCHES AND DRIVES WILL BE PROVIDED TO ALL PROSPECTIVE BUYERS.
21. CULVERTS SHALL HAVE A FLARED END SECTION OR CONCRETE HEADWALL ON THE INLET END.
22. ONLY ONE SUBDIVISION GROUND SIGN SHALL BE PERMITTED FOR THIS DEVELOPMENT AS PER 27.69 OF THE LINCOLN ZONING ORDINANCE.

**Special Permit #05058
Martell Development CUP
SW 29th St & Martell Rd**

*Revised
6/30/06*

**Special Permit #05058
Martell Development CUP
SW 29th St & Martell Rd**

**MARTELL DEVELOPMENT
COMMUNITY UNIT PLAN/SPECIAL PERMIT #05058
& PRELIMINARY PLAT**

LEGAL DESCRIPTION

A metes and bounds description of a Lots 74 and 59 Irregular Tracts of land located in the South 1/2 of Section 21, T.8N., E.6. E. of the 6th P.M. Lancaster County, Nebraska, more particularly described as follows:

Commencing at the South $\frac{1}{4}$ Corner of Section 21 and extending thence N 90°00'00"W, 890.60 feet; Thence N 00°00'00"W, 32.98 feet to the point of Beginning:

Thence N 89°54'56" W, 150.33 feet;
Thence N 03°24'33" W, 242.27 feet;
Thence N 89°59'39" W, 1532.20 feet;
Thence N 00°56'57" E, 289.79 feet;
Thence S 89°59'27" E, 1118.40 feet;
Thence N 00°56'52" E, 757.15 feet;
Thence N 89°59'18" E, 477.76 feet;

Thence S 03°42'12" E, 1291.98 feet to the Point of Beginning containing 20.78 acres more or less.

DENSITY CALCULATION:

LANCASTER COUNTY JURISDICTION

$$\begin{array}{rcl} \text{'AGR' BOUNDARY ACREAGE} & - & 13.92 \text{ AC.} / 3.00 \text{ AC.} \\ & & = 4.64 \text{ UNITS} \end{array}$$

SPRAGUE JURISDICTION

$$\begin{array}{rcl} \text{'AGR' BOUNDARY ACREAGE} & - & 6.86 \text{ AC.} / 5.00 \text{ AC.} \\ & & = 1.37 \text{ UNITS} \end{array}$$

$$4.64 + 1.37 = 6.01 \text{ UNITS}$$

6 UNITS ALLOWED



June 29, 2006

LYLE L. LOTH, P.E./L.S.

Suite A - 601 Old Cheney Road
Lincoln, NE 68512

Phone (402) 421-2500
Fax (402) 421-7096

Email: lyle@espeng.com

Mr. Marvin Krout
Director of Planning
City of Lincoln/ Lancaster County
555 South 10th Street
Lincoln, NE 68508

RE: MARTELL DEVELOPMENT – PRELIMINARY PLAT &
SPECIAL PERMIT #05058 – C.U.P.
S.W. 29TH & WEST MARTELL ROAD

Dear Marvin,

On behalf of Martell Development Corporation, we are requesting that Lot 61 Irregular Tract (Outlot 'A') be removed from this application. Through reviewing the density calculations with the Planning Department, it is not necessary to include this lot. We have included the revised legal description reflecting this modification.

Please feel free to contact me if you have any questions or comments.

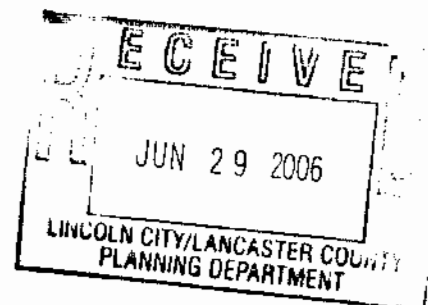
Sincerely,

A handwritten signature in cursive script, reading 'Marcia L. Kinning'.

Marcia L. Kinning

cc: Dutch Bentzinger

Enclosures: Revised Density Calculations
Revised Legal Description
8-1/2" x 11" reductions of the plans





June 13, 2006

LYLE L. LOTH, P.E./L.S.

Suite A - 601 Old Cheney Road
Lincoln, NE 68512

Phone (402) 421-2500

Fax (402) 421-7096

Email: lyle@espeng.com

Mr. Marvin Krout
Director of Planning
City of Lincoln/ Lancaster County
555 South 10th Street
Lincoln, NE 68508

RE: MARTELL DEVELOPMENT – PRELIMINARY PLAT &
SPECIAL PERMIT #05058 – C.U.P.
S.W. 29TH & WEST MARTELL ROAD

Dear Marvin,

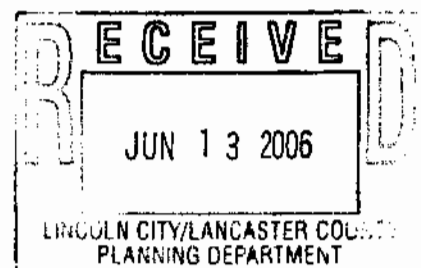
On behalf of Martell Development Corporation, we are resubmitting the above mentioned application for your review. Martell Development is a proposed AG/ C.U.P. on approximately 42.97 acres. We are showing 4 single family acreage lots, 'clustered' to S.W. 29th Street and Outlot 'A' can continue to be farmed. Each lot will be served with well water and individual septic systems.

A private roadway, to allow the continuation of development, has been shown to the north and east with temporary turnarounds. The private roadways will be constructed to meet Lancaster County design standards.

We are still requesting waivers to the Land Subdivision Ordinance to waive sidewalks, street trees, street lighting, landscape screening, block length, as each lot is larger than 1 acre and this project will not be annexed into the City of Lincoln at this time. We are also requesting a waiver of block length because of the acreage development.

Because this property is a split jurisdiction, we will be resubmitting this application also to the Village of Sprague for review and approval.

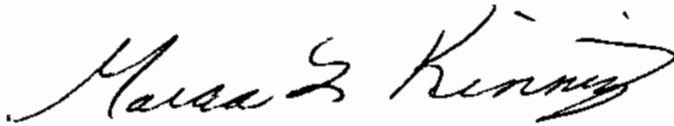
The revised request for a change of zone from 'AG' to 'AGR', on a described portion of the development has been resubmitted and scheduled for Planning Commission on Wednesday, June 21, 2006.



Page 2

Please feel free to contact me if you have any further questions.

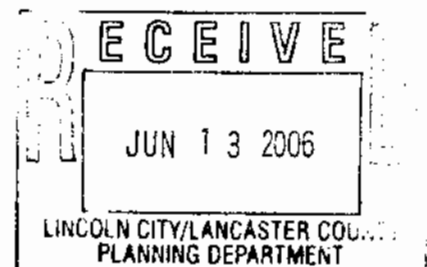
Sincerely,

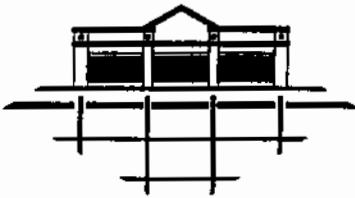


Marcia L. Kinning

cc: Dutch Bentzinger

Enclosures: 24 Copies of Sheet 1 of 6
8 Copies of Sheets 2 thru 6
8-1/2" x 11" reductions of the plans





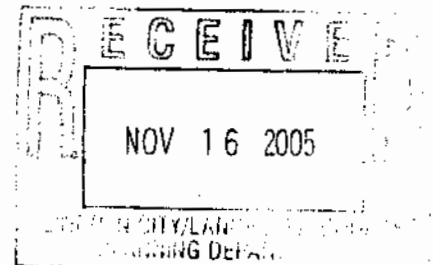
BRIAN D. CARSTENS AND ASSOCIATES

LAND USE PLANNING RESIDENTIAL & COMMERCIAL DESIGN

601 Old Cheney Road, Suite C Lincoln, NE 68512 Phone: 402.434.2424

November 15, 2005

Mr. Marvin Krout
Director of Planning
City of Lincoln/ Lancaster County
555 South 10th Street
Lincoln, NE 68508



RE: MARTELL DEVELOPMENT - ~~PRELIMINARY PLAT &~~
SPECIAL PERMIT - C.U.P.
S.W. 29TH & WEST MARTELL ROAD

Dear Marvin,

On behalf of Martell Development Corporation, we submit the above mentioned application for your review. Martell Development is a proposed AG/ C.U.P. on approximately 42.97 acres. We are showing 5 single family acreage lots, containing a minimum of 3.01 acres within the Lancaster County Jurisdiction and 5.01 for the lots within the Sprague/Martell Jurisdiction. Each lot will be served with water well and individual septic systems. The private roadway will be constructed to meet Lancaster County design standards.

We have 'clustered' the 5 lots close to S.W. 29th Street and the balance of Outlot 'A' can continue to be farmed .

We are requesting waivers to the Land Subdivision Ordinance to waive sidewalks, street trees, street lighting, landscape screening, block length, as each lot is larger than 1 acre and this project will not be annexed into the City of Lincoln at this time. We are also requesting a waiver of block length because of the acreage development.

Because this property is a split jurisdiction, we will be submitting this application also to the Village of Sprague for review and approval.

We look forward to working with staff on this project. Please feel free to contact me if you have any further questions.

Sincerely,

Jill D. Schuerman

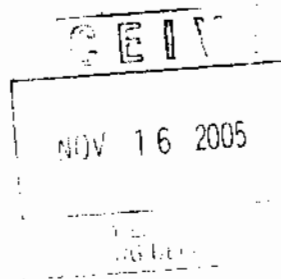
cc: Dutch Bentzinger

Enclosures: 24 Copies of Sheet 1 of 4
8 Copies of Sheets 2 thru 4
8-1/2" x 11" reductions of the plans
Application for a Special Permit
~~Application for a Preliminary Plat~~
Application Fee - ~~\$650.00~~ \$ 375.00
County Health Dept. Fee- \$305.00
Certificate of Ownership

GROUNDWATER REPORT
MARTELL DEVELOPMENT
S1/2 SW1/4 Sec. 21, T. 8N., R. 6E
LANCASTER COUNTY

Owner and Developer: Martell Development Corporation and Bentzinger Grain and Equipment
Petitioner: Brian D. Carstens, Brian D. Carstens and Associates
Engineer and Surveyor: Lyle L. Loth
Hydrogeologist and Preparer of Report: Vincent H. Dreeszen

November 1, 2005



REPORT OF GROUNDWATER INVESTIGATION

MARTELL DEVELOPMENT

S1/2 SW1/4 Sec. 21-T. 8N., R.6E

LANCASTER COUNTY

Martell Development is a proposed subdivision in the S1/2 SW1/4 21-8N-6E located at SW 29th Street and West Martell Road. The development is adjacent to existing home lots and other small tracts including sites owned by the Lancaster Rural Water District, Southwest Rural Fire District, a church and a lot reserved for Right of Way all on the north side of West Martell Road and adjacent to the Village of Martell. The irregular tract of approximately 64 acres is bounded on the west by Southwest 29th Street. The area proposed for development includes four 5-acre home lots and Outlot A (22.87 acres) totaling about 42.97 acres and Outlot A is zoned as "AG." The current zoning for the tract is "AG" and the proposed zoning is "AG" with C.U.P. with 20% density for farmland and open space preservation. See Figure 1 for location of subdivision and lots.

Access to the four lots is from SW 29th Street with private roadways to be constructed by the developer. The abandoned Chicago Rock Island and Pacific Railroad trends north-south along the back of the three easternmost lots.

The developer proposes the use of rural district water for potable supply; however individual private domestic wells may be used. The developer also proposes the use of individual waste water systems or if percolation tests do not permit, lagoons shall be installed subject to testing and approval.

The records of three wells in the area are available and the logs of these wells are summarized in Table 1. It is probable that the principal and possibly only aquifer in the area of

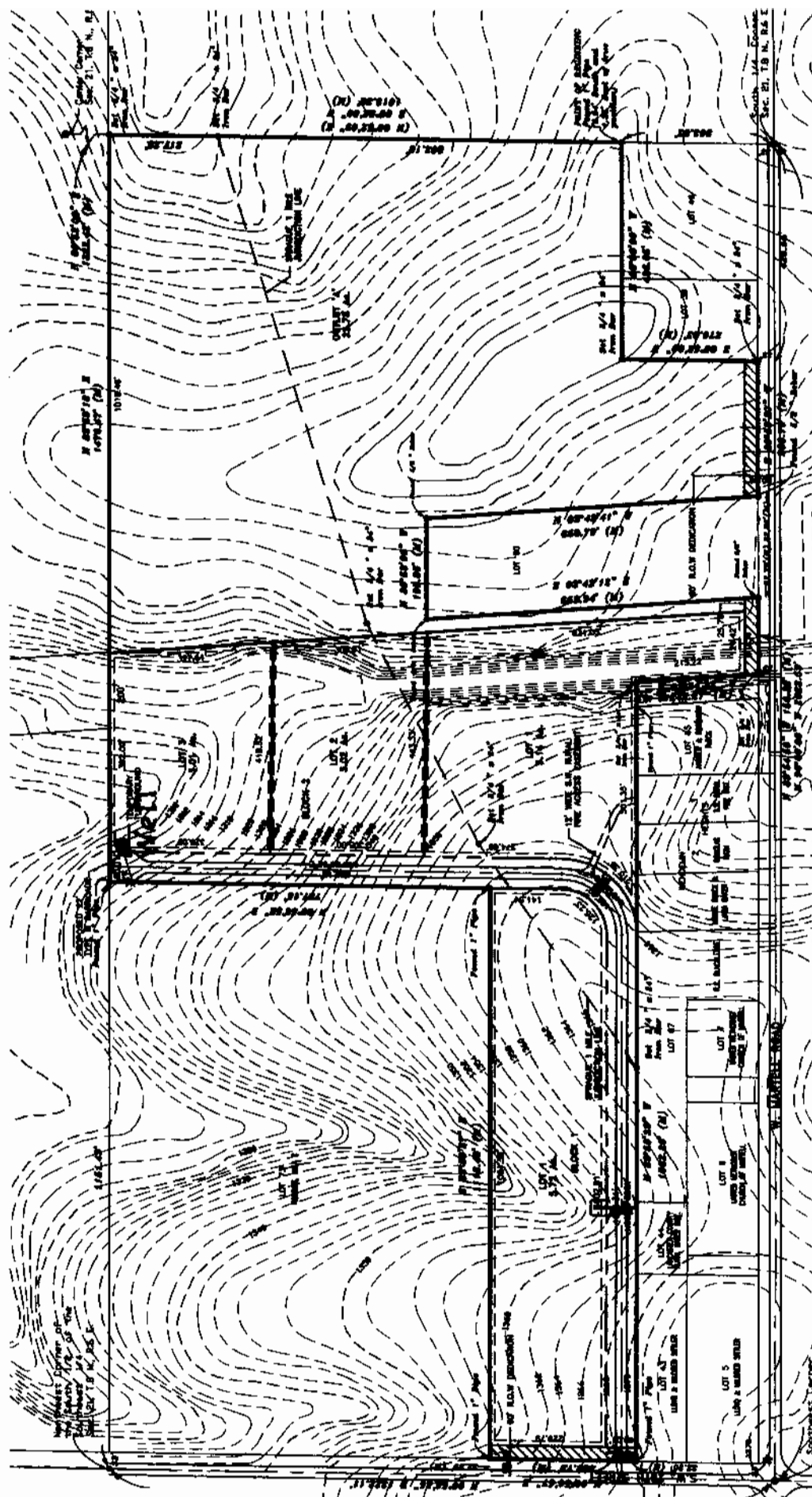
the proposed development is outwash glacial sands interbedded with glacial till. Each of the three wells is developed in about 5 to 9 feet of fine to medium sand at total depths ranging from 128 to 147 feet. In each of the wells there is some silty fine sand above the main aquifer. Yields of two of the wells are reported to be 20 gallons per minute and the other well was reported to yield 40 gpm when pumped and developed with air. It is probable that wells with similar characteristics could be developed on the four lots. Location of wells are shown in Figure 2.

The Dakota Sandstone Formation is probably absent due to erosion although Dakota wells have been reported nearby. A relatively shallow perched water level probably exists in the upper sands logged in Wells 2 and 3. The upper silty sands are cased out in the completed wells.

The water from Well Number 1 was sampled and analyzed for inorganic chemical constituents. A copy of the analyses by MDS Harris is included in the report. The water quality is quite good with only 371 ppm total dissolved solids. The water is moderately hard, 272.6 ppm; concentrations of sodium, chloride and sulfate are quite low. Nitrate-N was 0.04 ppm, manganese was 0.20 ppm and iron was only 0.01 ppm. The water is potable and some may opt to soften the water due to manganese and hardness.

In summary the possibilities are good for developing a satisfactory private domestic well yielding 10 to 20 gpm of potable water. However, the developer proposes the use of Lancaster County Rural District water for the homes.

10



MARTELL DEVELOPMENT

WELL
No. 2

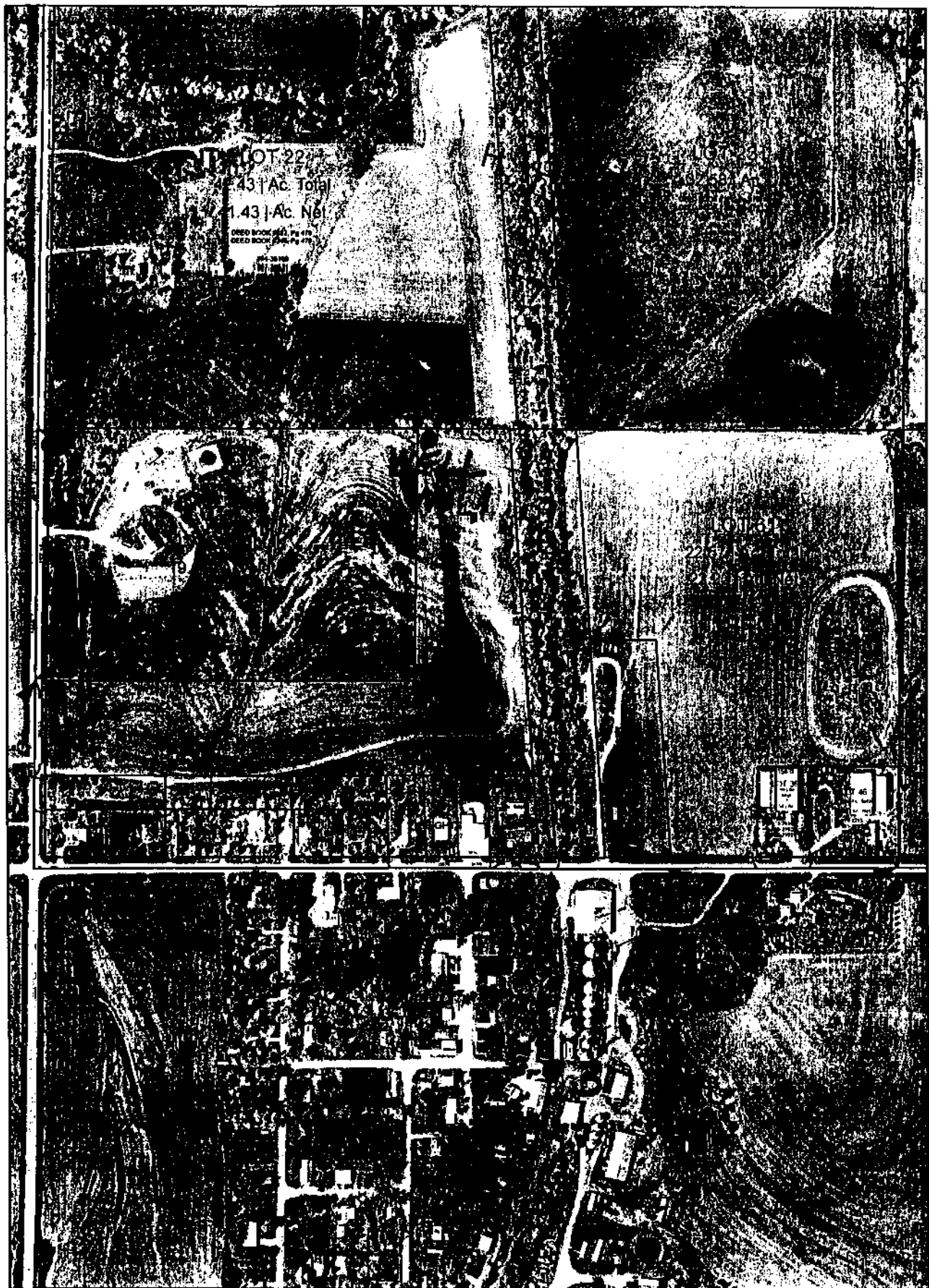


FIG. 2

TABLE 1
MARTELL DEVELOPMENT
Summary of Well Log Information

Well Number	Registration Number	Location	Land Altitude	Well Depth (in ft)	Aquifer (in ft)	SWL	Saturated Thickness	Yield (gpm)	Notes
1	Test Well	NE cor SW SW 21-8N-6E	1313	128	silty sand 75-85 sand 120-128	52	76'	40 with air	Test Well near NW cor Lot 3, Block 2, water quality analysis
2	G-093392	NE cor SW SW 21-8N-6E	1335	147	silty sand 85-115 sand 142-147 sand 148.5-151	43	104'	20	
3	G-122748	C NW1/4 28-8N-6E	1335	137	silty sand 70-113 sand 128-137	45	92'	20	Well in Martell



621 Rose Street
P.O. Box 80837
Lincoln, NE 68501

Tel: 402-476-2811
Fax: 402-476-7598
www.mdsharris.com

REPORT OF ANALYSIS

Sample Of Water

Submitted By

Moser Well Co
PO Box 308
Hickman, NE 68372

Submitted For Martell Development

Moser Well Block 2, Lot 3
For Dutch Bentzinger
N.Y. Martell for station

Date Received

6-Feb-04

Date Reported

10-Feb-04

Samples Will Be Stored Until

24-Feb-04

Laboratory No.

4700722

REPORT OF ANALYTICAL RESULTS

Client Sample Identification

Analysis

Result

Water

Water pH	8.2
Hardness	272.6 ppm
Bicarbonate	343.4 ppm
Carbonate	0 ppm
Electrical Conductivity	0.58 mmhos/cm
Total Dissolved Salts	371 ppm
Sodium	23 ppm
Calcium	81 ppm
Magnesium	17 ppm
Potassium	5 ppm
Sulfate	43 ppm
Nitrate-N	0.04 ppm
Chloride	14 ppm
Boron	0.01 ppm
Phosphate	1 ppm
Manganese	0.20 ppm
Iron	0.01 ppm



Status of Review: Active

Reviewed By

ANY

Comments:

Status of Review: Denied

11/20/2005 9:27:33 AM

Reviewed By 911

ANY

Comments: Denial based on proposed street names. Betten is to similar to Benton and William St exists 2 blocks east of the proposed Williams St

Status of Review: Active

Reviewed By Alltel

ANY

Comments:

Status of Review: Approved

Reviewed By Building & Safety

Terry Kathe

Comments:

Lancaster

County

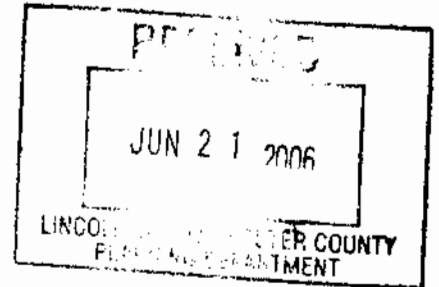
Engineering

Department

DON R. THOMAS - COUNTY ENGINEER

DEPUTY- **LARRY V. WORRELL**
COUNTY SURVEYOR

DATE: June 19, 2006
TO: Mike DeKalb
Planning Department
FROM: Larry V. Worrell
County Surveyor
SUBJECT: MARTELL DEVELOPMENT



This office has reviewed subject development plans and would offer the following comments:

- 1) The typical grading section shall show a minimum width of 4 feet for the ditch bottom and a 3:1 backslope.
- 2) The profile of SW 29th Street shows very limited sight distance to the south.
- 3) The existing ground on the profile of Betten/Williams Street does not match the contours on the grading plan.

LWV/DP/pb
SUBDIV.WK/Martell Development.mem



AREA 2
SERVICE CENTER

R.R. 1 BOX 56
ROCA, NEBRASKA 68430
402/423-3855
FAX 402/423-8090

November 18, 2005

Mike Dekalb, Project Planner
555 S. 10th St. #213
Lincoln, NE 68508

RE: Martell Development

Dear Mike,

I have reviewed the subject plat, and see easements in place as we would wish. I did notice that they were not labeled on the plat, Marcia at Carstens tells me this is something they will be asked to correct in the final plat, but assured me they were in fact dedicated.

Thanks for your cooperation.

Sincerely,

Rick Volmer, Staking Engineer

NOV 21 2005

LANCASTER COUNTY
PLANNING DEPARTMENT

**LINCOLN-LANCASTER COUNTY HEALTH DEPARTMENT
INTER-OFFICE COMMUNICATION**

TO: Mike DeKalb

DATE:

June 21, 2006

DEPARTMENT: Planning

FROM:

Chris Schroeder

ATTENTION:

DEPARTMENT:

Health

CARBONS TO: EH File

SUBJECT: Martell Development

EH Administration

SP #05058

Revised

The Lincoln-Lancaster County Health Department has reviewed the revised special permit application and does not have any further comments than were submitted on November 28, 2005 regarding this proposed development.

Status of Review: Approved

11/28/2005 2:02:33 PM

Reviewed By Health Department

ANY

Comments: LINCOLN-LANCASTER COUNTY HEALTH DEPARTMENT
INTER-OFFICE COMMUNICATION

TO: Mike DeKalb DATE: November 28, 2005

DEPARTMENT: Planning FROM: Chris Schroeder

ATTENTION: DEPARTMENT: Health

CARBONS TO: EH File SUBJECT: Martell Development

EH Administration SP #05058

The Lincoln-Lancaster County Health Department has reviewed the proposed development with the following noted:

The developer has adequately addressed on-site wastewater treatment issues in the notes included with the plans. On-site wastewater treatment systems will be sub-surface fields or lagoons. The notes indicate the lots meet the three acre net requirement for the installation of a lagoon.

The developer has adequately addressed water system issues in the notes and water report. Water will be provided by Lancaster Rural Water District. The water report indicates the possibilities are good for developing a satisfactory private domestic well if necessary.

All wind and water erosion must be controlled during construction. The Lower Platte South Natural Resources District should be contacted for guidance in this matter.

During the construction process, the land owner(s) will be responsible for controlling off-site dust emissions in accordance with Lincoln-Lancaster County Air Pollution Regulations and Standards Article 2 Section 32. Dust control measures shall include, but not limited to application of water to roads, driveways, parking lots on site, site frontage and any adjacent business or residential frontage. Planting and maintenance of ground cover will also be incorporated as necessary.

Status of Review: Active

Reviewed By Lancaster County Sheriff Department

ANY

Comments:

VILLAGE OF SPRAGUE

P.O. Box 47

Sprague, NE 68438

Action on Change of Zone request from AGX to AGR submitted by Donald Finney for property located in the SW 1/4 of Section 21, Township 8N, Range 6E of the 6th P.M., Lancaster County, NE. This involves the SE corner of Lot 74 which resides in the Village of Sprague jurisdiction. and the South Portion of Lot 59 which resides in the Village of Sprague jurisdiction.

Recommendation by Village Board of Trustees to approve the Change of Zone subject to Lancaster County Board approval of Change of Zone

Dated this 2 day of August, 2005

Bruce Mahler
Chairman of the Board

Patricia A Smith
Village Clerk

Approval for Change of Zone by Lancaster County Board

Dated this _____ day of _____, 2005

Lancaster County Board Representative

INTERN TIMESHEET

Print Name: Ashlee Dickinson

I hereby certify that I have satisfactorily performed the duties of intern for the week of June 26 to June 30.

	Monday <u>26</u>	Tuesday <u>27</u>	Wednesday <u>28</u>	Thursday <u>29</u>	Friday <u>30</u>	Total Hours for week
Hours Worked			8.5	8	8	24.5

TOTAL HOURS ACCUMULATED TO DATE (including this week): 186.5

Ashlee Dickinson

Intern Signature

6/30/06

Date

Comments: _____

Supervisor: _____